



## Senate

General Assembly

January Session, 2015

**File No. 142**

Senate Bill No. 204

*Senate, March 19, 2015*

The Committee on Aging reported through SEN. FLEXER of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

### **AN ACT PROTECTING SENIOR CITIZENS FROM SEXUAL OFFENDERS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-258 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2015*):

3 (a) (1) Notwithstanding any other provision of the general statutes,  
4 except subdivisions (3), (4) and (5) of this subsection, the registry  
5 maintained by the Department of Emergency Services and Public  
6 Protection shall be a public record and shall be accessible to the public  
7 during normal business hours. The Department of Emergency Services  
8 and Public Protection shall make registry information available to the  
9 public through the Internet. Not less than once per calendar quarter,  
10 the Department of Emergency Services and Public Protection shall  
11 issue notices to all print and electronic media in the state regarding the  
12 availability and means of accessing the registry. Each local police  
13 department and each state police troop shall keep a record of all  
14 registration information transmitted to it by the Department of

15 Emergency Services and Public Protection, and shall make such  
16 information accessible to the public during normal business hours.

17 (2) (A) Any state agency, the Judicial Department, any state police  
18 troop or any local police department may, at its discretion, notify any  
19 government agency, private organization or individual of registration  
20 information when such agency, said department, such troop or such  
21 local police department, as the case may be, believes such notification  
22 is necessary to protect the public or any individual in any jurisdiction  
23 from any person who is subject to registration under section 54-251,  
24 54-252, 54-253 or 54-254.

25 (B) [(1)] Whenever a registrant is released into the community, or  
26 whenever a registrant changes such registrant's address and notifies  
27 the Department of Emergency Services and Public Protection of such  
28 change pursuant to section 54-251, 54-252, 54-253 or 54-254, the  
29 Department of Emergency Services and Public Protection shall, by  
30 electronic mail, notify (i) the superintendent of schools for the school  
31 district, (ii) the chief executive officer of the municipality, and (iii) the  
32 senior center director in the municipality in which the registrant  
33 resides, or plans to reside, of such release or new address, and provide  
34 such superintendent, chief executive officer and senior center director  
35 with the same registry information for such registrant that the  
36 department makes available to the public through the Internet under  
37 subdivision (1) of this subsection.

38 [(2) Whenever a registrant is released into the community, or  
39 whenever a registrant changes such registrant's address and notifies  
40 the Department of Emergency Services and Public Protection of such  
41 change pursuant to section 54-251, 54-252, 54-253 or 54-254, the  
42 Department of Emergency Services and Public Protection shall, by  
43 electronic mail, notify the chief executive officer of the municipality in  
44 which the registrant resides, or plans to reside, of such release or new  
45 address, and provide such chief executive officer with the same  
46 registry information for such registrant that the department makes  
47 available to the public through the Internet under subdivision (1) of

48 this subsection.]

49 (3) Notwithstanding the provisions of subdivisions (1) and (2) of  
50 this subsection, state agencies, the Judicial Department, state police  
51 troops and local police departments shall not disclose the identity of  
52 any victim of a crime committed by a registrant or treatment  
53 information provided to the registry pursuant to sections 54-102g and  
54 54-250 to 54-258a, inclusive, except to government agencies for bona  
55 fide law enforcement or security purposes.

56 (4) Notwithstanding the provisions of subdivisions (1) and (2) of  
57 this subsection, registration information the dissemination of which  
58 has been restricted by court order pursuant to section 54-255 and  
59 which is not otherwise subject to disclosure, shall not be a public  
60 record and shall be released only for law enforcement purposes until  
61 such restriction is removed by the court pursuant to said section.

62 (5) Notwithstanding the provisions of subdivisions (1) and (2) of  
63 this subsection, a registrant's electronic mail address, instant message  
64 address or other similar Internet communication identifier shall not be  
65 a public record, except that the Department of Emergency Services and  
66 Public Protection may release such identifier for law enforcement or  
67 security purposes in accordance with regulations adopted by the  
68 department. The department shall adopt regulations in accordance  
69 with chapter 54 to specify the circumstances under which and the  
70 persons to whom such identifiers may be released including, but not  
71 limited to, providers of electronic communication service or remote  
72 computing service, as those terms are defined in section 54-260b, and  
73 operators of Internet web sites, and the procedure therefor.

74 (6) When any registrant completes the registrant's term of  
75 registration or is otherwise released from the obligation to register  
76 under section 54-251, 54-252, 54-253 or 54-254, the Department of  
77 Emergency Services and Public Protection shall notify any state police  
78 troop or local police department having jurisdiction over the  
79 registrant's last reported residence address that the person is no longer  
80 a registrant, and the Department of Emergency Services and Public

81 Protection, state police troop and local police department shall remove  
82 the registrant's name and information from the registry.

83 (b) Neither the state nor any political subdivision of the state nor  
84 any officer or employee thereof, shall be held civilly liable to any  
85 registrant by reason of disclosure of any information regarding the  
86 registrant that is released or disclosed in accordance with subsection  
87 (a) of this section. The state and any political subdivision of the state  
88 and, except in cases of wanton, reckless or malicious conduct, any  
89 officer or employee thereof, shall be immune from liability for good  
90 faith conduct in carrying out the provisions of subdivision (2) of  
91 subsection (a) of this section.

92 Sec. 2. (*Effective July 1, 2015*) The Commissioner on Aging, in  
93 consultation with the Commissioner of Emergency Services and Public  
94 Protection, the Connecticut Elder Justice Coalition Coordinating  
95 Council, Connecticut Sexual Assault Crisis Services, Inc. and the Office  
96 of the Long-Term Care Ombudsman, shall develop an informational  
97 campaign to expand best practices to protect senior citizens from  
98 sexual offenders. Such campaign shall be directed toward senior  
99 centers, and shall, within available resources: (1) Provide information  
100 about the availability of public information regarding violent sexual  
101 offenders pursuant to section 54-252 of the general statutes; (2)  
102 encourage senior centers to work with local law enforcement to  
103 develop security plans to protect senior citizens from sexual offenders;  
104 and (3) provide informational resources and training opportunities to  
105 raise awareness among senior citizens about how to protect themselves  
106 from sexual assault and how to report such crimes or threats to commit  
107 such crimes. Not later than January 1, 2016, the commissioner shall  
108 report, in accordance with the provisions of section 11-4a of the general  
109 statutes, on the progress of the informational campaign to the joint  
110 standing committee of the General Assembly having cognizance of  
111 matters relating to aging. For purposes of this section, "senior citizens"  
112 means persons sixty years of age and older.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2015</i>	54-258
Sec. 2	<i>July 1, 2015</i>	New section

**AGE**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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### ***OFA Fiscal Note***

#### ***State Impact:***

Agency Affected	Fund-Effect	FY 16 \$	FY 17 \$
State Dept. of Aging	GF - Potential Cost	Up to \$40,000	None

***Municipal Impact:*** None

#### ***Explanation***

The bill requires the Department of Emergency Services and Public Protection to notify the senior center director of a municipality when a registered sex offender is released and resides, or intends to reside, in such municipality. There is no fiscal impact arising from this requirement.

The bill requires the State Department of Aging to develop an informational and training campaign concerning protecting senior citizens from sexual offenders. Based on a previous research and training development contract, the agency can expect to incur a one-time cost of up to \$40,000 in FY 16 to develop this campaign. It should be noted that the bill requires that the campaign be developed within available resources. It does not appear that this mandates that the agency perform the activity regardless of available funding, therefore the cost described above is potential.

#### ***The Out Years***

The potential costs identified above are one-time so there is no out year fiscal impact.

**OLR Bill Analysis****SB 204*****AN ACT PROTECTING SENIOR CITIZENS FROM SEXUAL OFFENDERS.*****SUMMARY:**

This bill requires the Department of Emergency Services and Public Protection (DESPP) to notify a senior center director when an individual on the sexual offender registry informs the department that he or she resides in, plans to reside in, or is released into the senior center director's community. By law, DESPP must already email this notice, which includes the individual's address and the registry information that DESPP makes public on its web site, to school superintendents and municipal chief executives.

The bill also requires the Aging commissioner to develop an informational campaign directed toward senior centers to expand best practices to protect individuals age 60 and older from sexual offenders. Within available appropriations, the campaign must:

1. notify centers about publicly available information regarding violent sexual offenders,
2. encourage centers to develop, with local law enforcement agencies, security plans to protect senior citizens from sexual offenders, and
3. provide information and training opportunities to raise senior citizens' awareness about (a) protecting themselves from sexual assault and (b) reporting sexual assaults or threats to commit them.

In developing the campaign, the commissioner must consult with the DESPP commissioner, Connecticut Elder Justice Coalition

Coordinating Council, Connecticut Sexual Assault Crisis Services, Inc., and Office of the Long-Term Care Ombudsman. The commissioner must report on the progress of the campaign to the Aging Committee by January 1, 2016.

EFFECTIVE DATE: October 1, 2015, except the informational campaign provision is effective July 1, 2015.

## **BACKGROUND**

### ***Sex Offender Notices***

DESPP must enter registry information it receives in the sex offender registry and notify the local police department or state police troop in whose jurisdiction the registrant resides or plans to reside.

The Judicial Branch, a state agency, state police, or a local police department can notify any government agency, private organization, or individual of registration information when it believes it is necessary to protect the public or an individual from a registrant (CGS §§ 54-257 & 258).

## **COMMITTEE ACTION**

Aging Committee

Joint Favorable

Yea 13      Nay 0      (03/05/2015)